

# House File 2028 - Introduced

HOUSE FILE \_\_\_\_\_  
BY TYMESON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act allowing receiving school districts to send school  
2 vehicles into the district of residence to transport an  
3 open-enrolled pupil.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5193HH 82  
6 kh/nh/5

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1 1 Section 1. Section 282.18, subsection 10, Code 2007, is  
1 2 amended to read as follows:  
1 3 10. Notwithstanding section 285.1 relating to  
1 4 transportation of nonresident pupils, the parent or guardian  
1 5 is responsible for transporting the pupil without  
1 6 reimbursement to and from a point on a regular school bus  
1 7 route of the receiving district. However, a receiving  
1 8 district may send school vehicles into the district of  
1 9 residence of the pupil using the open enrollment option under  
1 10 this section, for the purpose of transporting the pupil to and  
1 11 from school in the receiving district, ~~if the boards of both~~  
~~1 12 the sending and receiving districts agree to this arrangement~~  
1 13 the length of time added to the receiving district's bus route  
1 14 to transport the student does not cause the riding time for  
1 15 elementary students on the bus route to exceed one hour, or  
1 16 for high school pupils, seventy-five minutes, unless  
1 17 authorized by the parent or guardian of the child whose ride  
1 18 time exceeds the limit specified. If the pupil meets the  
1 19 economic eligibility requirements established by the  
1 20 department and state board of education, the sending district  
1 21 is responsible for providing transportation or paying the pro  
1 22 rata cost of the transportation to a parent or guardian for  
1 23 transporting the pupil to and from a point on a regular school  
1 24 bus route of a contiguous receiving district unless the cost  
1 25 of providing transportation or the pro rata cost of the  
1 26 transportation to a parent or guardian exceeds the average  
1 27 transportation cost per pupil transported for the previous  
1 28 school year in the district. If the cost exceeds the average  
1 29 transportation cost per pupil transported for the previous  
1 30 school year, the sending district shall only be responsible  
1 31 for that average per pupil amount. A sending district which  
1 32 provides transportation for a pupil to a contiguous receiving  
1 33 district under this subsection may withhold from the district  
1 34 cost per pupil amount, that is to be paid to the receiving  
1 35 district, an amount which represents the average or pro rata  
2 1 cost per pupil for transportation, whichever is less.

### EXPLANATION

2 2  
2 3 This bill eliminates a requirement that the receiving and  
2 4 sending school districts must mutually agree on an arrangement  
2 5 for transportation of a pupil participating in open enrollment  
2 6 before the receiving district can cross district boundaries to  
2 7 send a school vehicle into the pupil's district of residence  
2 8 to transport the pupil. However, the bill provides that the  
2 9 additional time added to the receiving district's bus route to  
2 10 transport the pupil cannot cause the riding time of elementary  
2 11 pupils on the bus route to exceed one hour or seventy-five  
2 12 minutes for high school pupils, unless authorized by the  
2 13 parent or guardian of the child whose ride time exceeds the  
2 14 specified limit.  
2 15 LSB 5193HH 82  
2 16 kh/nh/5